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500.43230X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: YAMADA et al

Serial No.: 10/695,945

Filed: October 30, 2003

For: Electrophotographic Apparatus

Art Unit: 2852

Examiner: S. Brase

RESPONSE

Mail Stop: Response (No Fee)
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 18, 2005

Sir:

The following remarks are respectfully submitted in connection with the above-identified application, in response to the Office Action dated March 18, 2005.

The requirement for election of one of the alleged following patentably distinct species of the claimed invention identified by the Examiner as Species I - a shape and configuration of a developing means (figures 1, 6-11 and 14) and Species II - a shape and configuration of a toner regulatory blade (figures 12 and 13), is traversed insofar as the requirement is understood, and reconsideration and withdraw of the requirement are respectfully requested.

At the outset, it is noted that the Examiner does not include figures 2 - 4 in either Species I and Species II, and applicants submit that such figures generally show the shape and configuration of a developing means and toner regulatory blade of Fig. 1. Thus, applicants submit that such figures should be considered at least with Species I.

Although the Examiner contends that currently no claims are generic, applicants submit that at least independent claims 1 and 6 of this application are generic claims in reciting features of a developing means and a toner regulatory blade. Since such claims have not been rejected, applicants submit that at least claims 1 and 6 are allowable and upon allowance of a generic claim, claims directed to additional species should necessarily be considered.

In order to provide a complete response to the election requirement, applicants, provisionally elect, with traverse, Species I including at least independent claims 1 and 6 which are generic claims as well as dependent claims 2 - 5 and 13. Thus, the claims readable on the elected species of Species 1 include claims 1 - 6 and 13.

For the foregoing reasons, applicants request withdrawal of the election of species requirement and favorable action with respect to all claims in this application.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.43230X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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